

Remarks

Claims 15, 17-19, and 55-60 are pending in the application. Claim 15 has been amended. New claims 55-60 have been added. Support for the claim amendments and new claims can be found throughout the application, including the claims as originally filed. Importantly, no new matter has been added to the claims. Further, the amendments to the claims should not be construed to be an acquiescence to any of the rejections. Rather, except where another rationale is explicitly provided, the amendments to the claims are being made solely to expedite the prosecution of the above-identified application. Moreover, the Applicant reserves the right to further prosecute the same or similar claims in subsequent patent applications claiming the benefit of priority to the instant application. 35 USC § 120.

Claims 29, 31-34, 36, and 38-41 have been canceled without prejudice as drawn to a non-elected invention. The Applicant expressly reserves the right to prosecute the canceled claims in a divisional application claiming the benefit of priority to the instant application and its predecessor(s). 35 USC § 121.

Claims 20, 22, 24-27 and 43 have been canceled without prejudice. The Applicant expressly reserves the right to prosecute the canceled claims in a continuing application claiming the benefit of priority to the instant application and its predecessor(s). 35 USC § 120. Further, the cancellation of claims should not be construed to be an acquiescence to any of the rejections. Rather, except where another rationale is explicitly provided, the claims are being canceled solely to expedite the prosecution of the above-identified application.

Election/Restriction

The Examiner contends that “there is still no allowable generic claim, pending claims 29, 31-34, 36, and 38-41 remain withdrawn from further consideration by the Examiner.” In order to expedite prosecution, the Applicants have canceled claims 29, 31-34, 36, and 38-41. The Applicant expressly reserves the right to prosecute the canceled claims in a divisional application claiming the benefit of priority to the instant application and its predecessor(s). 35 USC § 121.

Maintained Claim Rejections Based on 35 USC § 112¶2

Claims 20 and 27 stand rejected under 35 U.S.C. § 112¶2, based on the Examiner's contention that they are "indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention." In order to expedite prosecution, the Applicants have canceled claims 20 and 27.

New Claim Rejections Based on 35 USC § 112¶1

Claims 15, 17-20, 22, 24-27, and 43 stand rejected under 35 U.S.C. § 112¶1, based on the Examiner's contention that they contain "subject matter which was not described in the specification in such a way to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention." The Examiner contends that the support for generic structures of claims 15 and 22 "is deemed to be insufficient."

In order to expedite prosecution, the Applicants have amended claim 15, narrowing the set of compounds claimed. The Applicants contend that the specification gives ample support for the claimed compounds. In addition, claims 20, 22, 24-27, and 43 have been canceled.

Further, in light of the amendment to claim 15, new claims 55-60 were added. Support for the new claims can be found in the specification and examples as originally filed. Therefore, no new matter has been added.

Moreover, amended claim 15 and new claims 55-60 do not refer to "modifier unit," "amido," or "ester." Hence, the Examiner's objection to the use of these terms under 35 U.S.C. § 112¶1 is resolved.

Accordingly, the Applicants respectfully request withdrawal of the rejections of claims 15 and 17-19 under 35 U.S.C. § 112¶1.

New Claim Rejections Based on 35 USC § 112¶2

Claims 15, 17-20, 22, 24-27, and 43 stand rejected under 35 U.S.C. § 112¶2, based on the Examiner's contention that they are "indefinite for failing to particularly

point out and distinctly claim the subject matter which applicant regards as the invention.”

In order to expedite prosecution, claims 20, 22, 24-27, and 43 have been canceled. In response to the Examiner’s contention that claim 15 is indefinite because the moieties R₁, R₂, and R₃ are incompletely defined, the Applicants have amended claim 15 to eliminate any possible ambiguity. The Examiner’s objection to claims 20 and 27 based on lack of antecedent basis for “pharmacophoric unit” is resolved because claims 20 and 27 were canceled.

Accordingly, the Applicants respectfully request the withdrawal of the rejections of claims 15 and 17-19 under 35 U.S.C. § 112¶2.

Fees

The Applicants believe no fee is due in connection with the filing of this paper. Nevertheless, the Director is hereby authorized to charge any required fee to our Deposit Account, **06-1448**.

Conclusion

In view of the above amendments and remarks, the Applicants believe that the pending claims are in condition for allowance. If a telephone conversation with Applicant's Attorney would expedite prosecution of the application, the Examiner is urged to contact the undersigned. Marked-up versions of the amended claims follow.

Respectfully submitted,
Patent Group
Foley Hoag LLP

Foley Hoag LLP
155 Seaport Boulevard
Boston, MA 02210

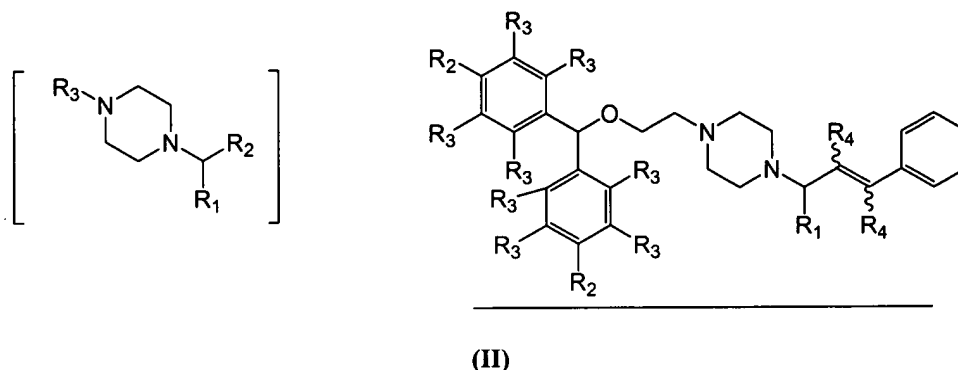
Telephone: (617) 832-1000
Telecopier: (617) 832-7000

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By: Dana Gordon
Dana M. Gordon, PhD
Reg. No. 44,719
Attorney for Applicants

Marked-Up Version of Amended Claim Showing Changes Made

15. (twice amended) A polypharmacophore represented by formula (II):



wherein:

R₁ is -CO₂R₄, -CO₂N(R₄)₂, aryl, alkyl, aralkyl, or aralkenyl;

R₂ represents independently for each occurrence H, F, Cl, Br, I, amino, azido, nitro, sulfonate, sulfonyl, cyano, hydroxyl, alkyl, aryl, heteroalkyl, heteroaryl, aralkyl, trialkylsilyl, or acyl;

R₃ represents independently for each occurrence H, F, Cl, Br, I, amino, azido, nitro, sulfonate, sulfonyl, cyano, hydroxyl, alkyl, aryl, heteroalkyl, heteroaryl, aralkyl, trialkylsilyl, or acyl;

R₄ represents independently for each occurrence H, alkyl, aryl, alkenyl, alkynyl, heteroalkyl, or heteroaryl; and

the stereochemical configuration of the carbon-carbon double bond is Z, E, or a mixture of Z and E.

[R₁ is selected from the group consisting of aryl, aralkyl, aralkenyl, -CO₂H, amido, and ester;

R₂ is selected from the group consisting of aralkyl and aralkenyl; and

R₃ is selected from the group consisting of aryl, amine, and ether;

wherein one or none of R_1 , R_2 , or R_3 comprises a modifier unit selected from the group consisting of lipids, antibodies, lectins, sugars, steroids, hormones, proteins, biotin, folate, riboflavincarnitne, inositol, lipoic acid, niacin, pantothenic acid, thiamin, pyridoxal, ascorbic acid, heptens, epitopes, dsDNA fragments, and vitamins A, D, E, and K, whereby the polypharmacophore interacts with at least two biological targets.]